

CAUSE NO. 22-00054

DAWN LORMAND,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
v.	§	VAN ZANDT COUNTY, TEXAS
	§	
WILLS POINT ISD	§	
	§	
Defendant.	§	294TH JUDICIAL DISTRICT

DEFENDANT WILLS POINT INDEPENDENT SCHOOL DISTRICT'S
NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Wills Point Independent School District (Wills Point or the District) removes Cause No. 22-00054 (the State Court Action) from the District Court of Van Zandt, Texas, to the United States District Court for the Eastern District of Texas, Tyler Division, and would respectfully show the Court as follows:

I. SUMMARY OF STATE COURT ACTION

1. Plaintiff Dawn Lormand filed suit against Wills Point ISD on April 26, 2022. Included in Plaintiff's allegations against the District is an employment discrimination claim arising under Title VII of the Civil Rights Act of 1964.

2. Plaintiff served Wills Point ISD on April 29, 2022. As such, this removal is timely pursuant to 28 U.S.C. § 1446(b). Wills Point ISD has not filed any papers in the State Court Action.

II. JURISDICTION

3. The State Court Action is removal under 28 U.S.C. § 1441 on the basis of federal question jurisdiction. Any civil action brought in a state court may be removed without regard to the citizenship of the parties when the district courts of the United States have original jurisdiction.¹

¹ 28 U.S.C. § 1441(a)

District courts of the United States have original jurisdiction over all civil actions arising under the Constitution and laws of the United States.²

4. Plaintiff's Complaint contains claims arising under federal law, specifically Title VII of the Civil Rights Act of 1964. Because all of Plaintiff's claims arise under federal statutes, the action is removable, and the United States District Court for the Eastern District of Texas, Tyler Division has jurisdiction.³

III. REMOVAL REQUIREMENTS

5. Filed simultaneously herewith is an index of the process and pleadings from the State Court Action, copies of all documents filed in the State Court Action, a copy of the State Court Action docket sheet, and a certificate of interested persons.

WHEREFORE, PREMISES CONSIDERED, Wills Point ISD respectfully requests that the State Court Action be removed to this Court for trial and determination, that all further proceedings in the State Court Action be stayed, and that the District have all additional relief to which it may be justly entitled.

Respectfully submitted,

By: /s/Meredith Prykryl Walker

Meredith Prykryl Walker

State Bar No. 24056487

WALSH GALLEGOS TREVIÑO

KYLE & ROBINSON P.C.

105 Decker Court, Suite 700

Irving, Texas 75062

214.574.8800

214.574.8801 (facsimile)

mwalker@wabsa.com

² 28 U.S.C. § 1446

³ See 28 U.S.C. § 1441(a)

ATTORNEYS FOR WILLS POINT
INDEPENDENT SCHOOL DISTRICT

CERTIFICATE OF SERVICE

On May 20, 2022, I electronically submitted the foregoing document with the clerk of court for the United States District Court, Eastern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

Jamie J. Gilmore
Brittney L. Thompson
Bailey & Galyen
2777 N. Stemmons Fwy, Suite 1150
Dallas, Texas 75207

/s/ Meredith Prykryl Walker
Meredith Prykryl Walker